

AMENDED IN SENATE APRIL 26, 2011

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 443

Introduced by Senator Strickland
(Principal coauthor: Assembly Member Achadjian)

February 16, 2011

An act relating to a veterans' memorial.

LEGISLATIVE COUNSEL'S DIGEST

SB 443, as amended, Strickland. Veterans' memorial.

Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law authorizes the department to enter into an agreement to accept funds, materials, equipment, or services from any person for maintenance or roadside enhancement.

~~This bill would authorize the Old Town Orcutt Revitalization Association to plan, construct, and maintain a veterans' memorial in a specified state-owned park and ride parking lot in Orcutt in consultation with the department. The bill would require the department to enter into any necessary or appropriate agreements with the association relating to the memorial and would prohibit the use of state funds for that memorial.~~ *require the Department of Transportation, if nonstate funds are available for this purpose, including for repair and ongoing maintenance, to erect a veterans' memorial in a specified state-owned park and ride parking lot in the town of Orcutt, in consultation with the Old Town Orcutt Revitalization Association. The bill would authorize the department to enter into agreements with the association for the planning, construction, and maintenance of the memorial.*

This bill would make legislative findings and declarations as to the necessity of a special statute for the ~~City~~ town of Orcutt.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Department of Transportation, if nonstate*
- 2 *funds are available for this purpose, including for repair and*
- 3 *ongoing maintenance, shall erect a veterans' memorial in the*
- 4 *state-owned park and ride parking lot at the Clarke Avenue West*
- 5 *exit from State Highway Route 135 in the town of Orcutt, in*
- 6 *consultation with the Old Town Orcutt Revitalization Association.*
- 7 *The department may enter into agreements with the association*
- 8 *for the planning, construction, and maintenance of the memorial.*
- 9 ~~SECTION 1. A veterans' memorial may be erected in the~~
- 10 ~~state-owned park and ride parking lot at the Clarke Avenue West~~
- 11 ~~exit from State Highway Route 135 in Orcutt. The Old Town Orcutt~~
- 12 ~~Revitalization Association may plan, construct, and maintain that~~
- 13 ~~veterans' memorial. The Department of Transportation shall consult~~
- 14 ~~with the association in the planning, construction, and maintenance~~
- 15 ~~of the memorial. The department shall enter into any agreements~~
- 16 ~~with the association that are necessary or appropriate to the~~
- 17 ~~planning, construction, and maintenance of that memorial. No state~~
- 18 ~~funds shall be used to fund the costs associated with the memorial.~~
- 19 SEC. 2. The Legislature finds and declares that a special law
- 20 is necessary and that a general law cannot be made applicable
- 21 within the meaning of Section 16 of Article IV of the California
- 22 Constitution because of the unique need to erect a veterans'
- 23 memorial in Orcutt in a publicly-~~accessible~~ *accessible* location.